

THE HONORABLE ROBERT J. BRYAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RALPH DEITCH and JANET IMUS, husband  
and wife,

Plaintiff,

v.

THE CITY OF OLYMPIA, et al.,

Defendants.

No. C06-5394RJB

DECLARATION OF TRACI CROWDER IN  
SUPPORT OF MOTION FOR  
PROTECTIVE ORDER

I, Traci Crowder, hereby declare as follows:

1. I am Director of Service Support at Behavioral Health Resources (BHR). I am competent to testify to the matters herein and make this declaration based on personal knowledge.

2. BHR is a mental health care provider.

3. My work as BHR's Director of Support Services includes administration of BHR's patient records and processes for the disclosure and non-disclosure of information from those records.

4. BHR maintains health care information records for its patient and client Dolly Khazar fka Andrea Deitch. BHR's care for Khazar is ongoing. I am familiar with BHR's health care information records for Khazar ("the Khazar chart"). I am familiar with BHR's case management programs and with BHR's case management program applicable to Khazar.

5. BHR employee Sherrie Crisp is Khazar's case manager at present and has been since about March, 2004. Crisp is a Washington registered mental health professional. BHR case

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1 managers provide a broad array of services to BHR's clients, including point-of-contact case  
 2 oversight, community self-sufficiency, outreach and referrals, client medical staff and wellness  
 3 support and client counseling. BHR case management is not limited to in-office work. BHR case  
 4 managers for example help arrange for and assist BHR clients with residential housing  
 5 relocations, including with the actual on-site and about-town effort. Crisp has provided that array  
 of services to Khazar, all related to Khazar's health care with BHR.

6 6. Everything in the Khazar chart is information that was created or received by  
 7 BHR and is related to the past, present or future physical or mental health or condition of  
 8 Khazar, the provision of health care to her, or the part, present or future payment for the  
 provision of health care to Khazar.


9 7. About April 12, 2007, BHR received a request in the form of subpoena from  
 10 attorney Mr. Hugh McGavick for health care information regarding Khazar. BHR promptly  
 11 denied that request in writing by letter addressed to Mr. McGavick. Mr. McGavick had not  
 12 complied with federal and state law rules regarding BHR's disclosure of protected health care  
 13 information. Khazar has not authorized BHR to disclose her information to Mr. McGavick. BHR  
 was and is precluded from disclosing Khazar's information to him.

14 8. I understand Mr. McGavick has issued addressed to Crisp calling on Crisp to  
 15 discuss Khazar's information. Khazar has not authorized Crisp to disclose her information to  
 him. Crisp is precluded from disclosing anything about Khazar's health care information to him.

16 9. It is requested that the Court quash Mr. McGavick's April, 2007, subpoena  
 17 addressed to BHR and any deposition subpoena addressed to Crisp.

18 I declare under penalty of perjury under the laws of the United States of America that the  
 19 foregoing is true and correct.

20 DATED this 11 day of June, 2007, at Olympia, Washington.

21   
 22 Traci Crowder